

S. 1493

To create the Department of Commerce, Trade, and Technology, to consolidate in such department various functions of the Government with respect to commerce, international trade and technology, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 12 (legislative day, JUNE 21), 1979

Mr. STEVENSON introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To create the Department of Commerce, Trade, and Technology, to consolidate in such department various functions of the Government with respect to commerce, international trade and technology, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

SHORT TITLE

4 SECTION 1. This Act may be cited as the “Department
5 of Commerce, Trade, and Technology Organization Act”.

DEFINITION

SEC. 2. As used in this Act, the term "function" includes any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.

TITLE I—FINDINGS AND PURPOSES

FINDINGS

SEC. 101. The Congress finds that—

(1) the output of approximately one-third of the crop acreage of the United States is exported and about one out of every nine manufacturing jobs depends, directly or indirectly, on exports;

(2) it is in the national interest to maintain and promote the export of the United States goods and services and thereby contribute to the health of our domestic economy;

(3) it is in the national interest to assure continued access to foreign markets by United States producers of goods and services;

(4) it is in the national interest to maintain and promote technological innovation in order to assure the competitiveness of United States goods and services in world markets; and

(5) the capability of existing Federal Government departments and agencies to deal with issues of domestic business, international trade, and industrial technol-

1 ogy is fragmented and dispersed, resulting in inad-
2 equately and uncoordinated attention being given to
3 these important issues.

4 PURPOSE; FUNCTIONS

5 SEC. 102. (a) The purpose of this Act is to establish in
6 the executive branch of the Federal Government a coherent
7 organizational structure to promote the international econom-
8 ic interests of the United States through the consolidation of
9 separate existing agencies which share jurisdiction over—

10 (1) industry affairs relating to international trade;

11 (2) export promotion and financing activities;

12 (3) the formulation and implementation of United
13 States policy with respect to unfair international trade
14 practices;

15 (4) international investment policy;

16 (5) international trade negotiating authority; and

17 (6) industry and trade economic analysis and re-
18 porting.

19 (b) The functions vested in the Department of Com-
20 merce, Trade, and Technology under this Act are—

21 (1) to formulate and implement policy on interna-
22 tional trade matters which will promote the export of
23 United States agricultural commodities, industrial and
24 service products, and raw materials in order to
25 strengthen the international trade position of the

1 United States and ensure that American business and
2 labor are protected from unfair international trade
3 practices;

4 (2) to direct a comprehensive program of collect-
5 ing and analyzing information on domestic and foreign
6 business, labor, commercial, and technological trends;

7 (3) to seek and provide new trade and commercial
8 opportunities for United States businesses abroad;

9 (4) to assist small businesses in developing export
10 markets;

11 (5) to direct long-range planning on international
12 trade matters;

13 (6) to facilitate and aid in financing exports of
14 goods and services in cooperation with other appropri-
15 ate Government agencies;

16 (7) to consult with other departments and agen-
17 cies where appropriate to assure the effective adminis-
18 tration of programs which have impacts on internation-
19 al trade and technological competitiveness;

20 (8) to administer export controls, including con-
21 trols on export of strategic goods and technology;

22 (9) to gather and disseminate information on im-
23 ports, including their effects on domestic production,
24 employment, consumption, and technological innova-

tion, in order to help ensure appropriate and prompt responses to changing import trends;

(10) to act to ensure adequate supplies at competitive prices of critical materials necessary for national security and the continued functioning of the Nation's economy; and

(11) to conduct such studies and investigations as may be requested by the President or Congress.

TITLE II—REORGANIZATION OF INTERNATIONAL TRADE FUNCTIONS

REDESIGNATION

SEC. 201. The Department of Commerce is succeeded by the Department of Commerce, Trade and Technology (hereinafter in this Act referred to as the "Department"), and the Secretary of Commerce or any other official of the Department of Commerce is hereby redesignated the Secretary or official, as appropriate, of Commerce, Trade, and Technology.

PRINCIPAL OFFICERS

SEC. 202. There shall be in the Department a Deputy Secretary who shall be appointed by the President, by and with the advice and consent of the Senate. The Deputy Secretary shall act for and exercise the functions of the Secretary during any period of absence or disability of the Secretary or in the event of a vacancy in the Office of the

1 Secretary. The Secretary shall prescribe the succession to
2 the functions of the Secretary in the event of absence or dis-
3 ability of or vacancy in the office of such Deputy Secretary.

4 DUTIES OF THE SECRETARY

5 SEC. 203. (a) The Secretary of Commerce, Trade, and
6 Technology (hereinafter in this Act referred to as the "Secre-
7 tary") in carrying out the purposes of this Act shall promote
8 and undertake the development, collection, and dissemination
9 of technical, statistical, economic, and other information rela-
10 tive to industrial innovation, technology, domestic and inter-
11 national trade and investment; consult and cooperate with
12 other executive agencies in gathering information regarding
13 the status of innovation, technology, international trade and
14 investment in the United States and other countries and con-
15 sult and cooperate with State and local governments and
16 other interested parties, including, when appropriate, holding
17 informal public hearings.

18 (b) Orders and actions of the Secretary in the exercise of
19 the functions transferred under this Act, and orders and ac-
20 tions of any entity the responsibilities of which are trans-
21 ferred to the authority of the Secretary and vested in the
22 Secretary pursuant to the functions specifically assigned to
23 any such entity by this Act or any other Act of Congress,
24 shall be subject to judicial review to the same extent and in
25 the same manner as if such orders and actions had been by

1 the department or agency or other authority exercising such
2 functions immediately preceding their transfer. Any statutory
3 requirements relating to notice, hearings, actions upon the
4 record, or administrative review that apply to any functions
5 transferred by this Act shall apply to the exercise of such
6 functions by the Secretary.

7 (c) In the exercise of the functions transferred under this
8 Act, the Secretary shall have the same authority as that
9 vested in the department, agency, or authority exercising
10 such functions immediately preceding their transfer, and their
11 actions in exercising such functions shall have the same force
12 and effect as when exercised by such department, agency, or
13 authority.

14 (d) In carrying out the functions transferred under this
15 Act, the Secretary shall consult, exchange information, and
16 carry on joint planning, research, and other activities with
17 the Secretary of the Treasury, the Secretary of State, the
18 Secretary of Agriculture, and the heads of such other execu-
19 tive agencies as the Secretary deems appropriate.

20 (e) The Secretary shall jointly study, with the Secretary
21 of State, the Secretary of the Treasury, the Secretary of Ag-
22 riculture, and the heads of such other executive agencies as
23 the Secretary deems appropriate, how Federal policies and
24 programs can ensure that international trade and investment
25 systems most effectively serve both national and international

8 SEC. 204. (a) There are transferred to and vested in the
9 Secretary—

(A) commercial affairs and business activities, including export promotion, but not including the reporting of economic conditions in foreign countries; and

18 (C) negotiation and implementation of bi-
19 lateral and multilateral commercial agreements
20 with foreign nations, including commodity agree-
21 ments.

22 (2)(A) all functions of the Secretary of the Treas-
23 ury, the Department of Treasury, and any officer or
24 component thereof which are carried out through the
25 Assistant Secretary of the Treasury for International

1 Affairs, except those functions of such Assistant Secre-
2 tary which relate to monetary policy, international
3 exchange, Saudi Arabian affairs, and United States
4 membership in bilateral and multilateral monetary
5 institutions;

6 (B) all functions of the Secretary of the Treasury
7 relating to dumping and countervailing duties;

8 (C) all functions of the Secretary of the Treasury
9 administered through the office known as the Office of
10 Foreign Assets Control;

11 (3) all functions, powers, and duties of the Special
12 Representative for Trade Negotiations, the Office of
13 the Special Representative for Trade Negotiations in
14 the Executive Office of the President, and all officers
15 and components thereof;

16 (4) all functions, powers, and duties of the Inter-
17 national Trade Commission, and of the Commissioners,
18 officers, and offices thereof;

19 (5) the functions of the Secretary of Labor with
20 respect to determinations of worker eligibility for as-
21 sistance under chapter 2 of title II of the Trade Act of
22 1974; and

23 (6) the functions of the Secretary of the Interior
24 conducted through the office known as the Division of
25 Interindustry and Economic Analysis.

1 (b)(1) The Export-Import Bank is transferred to and es-
2 tablished in the Department as an agency and instrumentali-
3 ty of the United States under the general supervision and
4 direction of the Secretary, as provided in section 2 of the
5 Export-Import Bank Act of 1945 as amended by section
6 310(j) of this Act.

7 (2) The Overseas Private Investment Corporation is
8 transferred to and established in the Department as an
9 agency and instrumentality of the United States under the
10 general supervision and direction of the Secretary, as pro-
11 vided in section 233 of the Foreign Assistance Act of 1961
12 as amended by section 310(i)(2) of this Act.

13 TITLE III—MISCELLANEOUS PROVISIONS

14 ADMINISTRATIVE PROVISIONS

15 SEC. 301. (a) The Secretary is authorized to appoint
16 and fix the compensation of such officers and employees, in-
17 cluding attorneys and investigators, as may be necessary to
18 carry out the functions transferred by this Act to the Secre-
19 tary and the Department, except that the total number of
20 individuals which may be so appointed shall not exceed the
21 total number of individuals which were performing such func-
22 tions on the day preceding the effective date of this Act,
23 unless otherwise provided by a provision of law enacted after
24 the date of enactment of this Act. Except as otherwise pro-
25 vided by law, such officers and employees shall be appointed.

1 in accordance with the provisions of title 5, United States
2 Code, governing appointments in the competitive service, and
3 compensated in accordance with the provisions of chapter 51
4 and subchapter III of chapter 53 of such title.

5 (b) The Secretary may obtain the services of experts
6 and consultants in accordance with the provisions of section
7 3109 of title 5, United States Code, and may compensate
8 such experts and consultants at rates not to exceed the daily
9 rate prescribed for GS-18 of the General Schedule under
10 section 5332 of such title.

11 (c)(1)(A) The Secretary is authorized to accept volun-
12 tary and uncompensated services without regard to the provi-
13 sions of section 3679(b) of the Revised Statutes (31 U.S.C.
14 665(b)) if such services will not be used to displace Federal
15 employees employed on a full-time, part-time, or seasonal
16 basis.

17 (B) The Secretary is authorized to accept volunteer
18 service in accordance with the provisions of section 3111 of
19 title 5, United States Code.

20 (2) The Secretary is authorized to provide for incidental
21 expenses, including but not limited to transportation, lodging
22 and subsistence for such volunteers.

23 (3) An individual who provides voluntary services under
24 paragraph (1)(A) of this subsection shall not be considered a
25 Federal employee for any purpose other than for purposes of

1 chapter 81 of title 5, United States Code, relating to compen-
2 sation for work injuries, and of chapter 171 of title 28,
3 United States Code, relating to tort claims.

4 (d) In the exercise of the functions transferred under this
5 Act, the Secretary shall have the same authority as the offi-
6 cer, agency, or office, or any part thereof, exercising such
7 functions immediately preceding their transfer, and the ac-
8 tions of the Secretary in exercising such functions shall have
9 the same force and effect as when exercised by such officer,
10 agency, or office, or part thereof.

11 (e) Except as otherwise provided in this Act, the Secre-
12 tary may delegate any of the functions under this Act to such
13 officers and employees of the Department as the Secretary
14 may designate, and may authorize such successive redelega-
15 tions of such functions within the Department as may be nec-
16 essary or appropriate. No delegation of functions by the Sec-
17 retary under this section or under any other provision of this
18 Act shall relieve the Secretary of responsibility for the ad-
19 ministration of such functions.

20 (f) The Secretary is authorized to prescribe, in accord-
21 ance with the provisions of chapter 5 of title 5, United States
22 Code, such rules and regulations as may be necessary or ap-
23 propriate to carry out the functions transferred to the Secre-
24 tary or the Department by this Act.

1 (g)(1) The Secretary is authorized to enter into and per-
2 form such contracts, grants, leases, cooperative agreements,
3 or other similar transactions with Federal departments and
4 agencies, public agencies, State, local, and tribal govern-
5 ments, private organizations, and individuals, and to make
6 such payments, by way of advance or reimbursement, as the
7 Secretary may deem necessary or appropriate to carry out
8 the functions transferred to the Secretary or the Department
9 by this Act.

10 (2) Notwithstanding any other provision of this Act, no
11 authority to enter into contracts or to make payments under
12 this Act shall be effective except to such extent or in such
13 amounts as are provided in advance under appropriation
14 Acts. This subsection shall not apply with respect to the au-
15 thority granted under subsection (h).

16 (h) The Secretary is authorized to accept, hold, adminis-
17 ter, and utilize gifts, bequests, and devises of property, both
18 real and personal, for the purpose of aiding or facilitating the
19 work of the Department in the performance of the functions
20 transferred by this Act. Gifts, bequests, and devises of money
21 and proceeds from sales of other property received as gifts,
22 bequests, or devises shall be deposited in the Treasury in a
23 separate fund and shall be disbursed upon the order of the
24 Secretary. Property accepted pursuant to this section, and
25 the proceeds thereof, shall be used as nearly as possible in

1 accordance with the terms of the gift, bequest, or devise do-
2 nating such property. For the purposes of Federal income,
3 estate, and gift taxes, property accepted under this section
4 shall be considered as a gift, bequest, or devise to the United
5 States.

6 REORGANIZATION

7 SEC. 302. The Secretary is authorized to allocate or
8 reallocate the functions transferred to the Secretary or the
9 Department by this Act among the officers of the Depart-
10 ment, and to establish, consolidate, alter, or discontinue such
11 organizational entities within the Department as may be nec-
12 essary or appropriate. The authority of the Secretary under
13 this section does not extend to the abolition of organizational
14 entities established by this Act or the reallocation of func-
15 tions among the officers of the Department as specifically
16 designated by this Act.

17 TRANSFER OF PERSONNEL

18 SEC. 303. (a) Except as otherwise provided in this Act,
19 the personnel employed in connection with, and the assets,
20 liabilities, contracts, property, records, and unexpended bal-
21 ances of appropriations, authorizations, allocations, and other
22 funds employed, held, used, arising from, available to or to be
23 made available in connection with the functions and agencies
24 transferred to the Secretary or the Department by this Act,
25 subject to section 202 of the Budget and Accounting Proce-

1 dures Act of 1950, are transferred to the Secretary for ap-
2 propriate allocation. Unexpended funds transferred pursuant
3 to this subsection shall be used only for the purposes for
4 which the funds were originally authorized and appropriated.

5 (b) Positions specified by statute or reorganization plan
6 to carry out functions and agencies transferred by this Act,
7 personnel occupying those positions on the effective date of
8 this Act, and personnel authorized to receive compensation in
9 such positions at the rate prescribed for offices and positions
10 at level II, III, IV, or V of the Executive Schedule con-
11 tained in sections 5312 through 5316 of title 5, United States
12 Code, on the effective date of this Act, shall be subject to the
13 provisions of section 304 of this Act.

14 (c) Except as otherwise provided in this Act, the trans-
15 fer pursuant to this title of full-time personnel (except special
16 Government employees) and part-time personnel holding per-
17 manent positions shall not cause any such employee to be
18 separated or reduced in grade or compensation for one year
19 after such transfer or after the effective date of this Act,
20 whichever is later.

21 (d) Any person who, on the day before the effective date
22 of this Act, held a position compensated in accordance with
23 the Executive Schedule prescribed in chapter 53 of title 5,
24 United States Code, and who, without a break in service, is
25 appointed in the Department to a position having duties com-

1 parable to the duties performed immediately preceding such
2 appointment shall continue to be compensated in such new
3 position at not less than the rate provided for such previous
4 position for the duration of the service of such person in such
5 new position.

6 AGENCY TERMINATIONS

7 SEC. 304. Except as otherwise provided in this Act,
8 whenever all of the functions of any agency, commission, or
9 other body, or any component thereof, have been terminated
10 or transferred by this Act from that agency, commission, or
11 other body, or component thereof, such agency, commission,
12 or other body, or component shall terminate. If an agency,
13 commission, or other body, or any component thereof, termi-
14 nates pursuant to the provisions of the preceding sentence,
15 each position and office therein which was expressly author-
16 ized by law, or the incumbent of which was authorized to
17 receive compensation at the rates prescribed for an office or
18 position at level II, III, IV, or V of the Executive Schedule
19 contained in sections 5313 through 5316 of title 5, United
20 States Code, shall terminate.

21 INCIDENTAL DISPOSITIONS

22 SEC. 305. The Director of the Office of Management
23 and Budget, at such time or times as such Director shall
24 provide, is authorized and directed to make such determina-
25 tions as may be necessary with regard to the transfer of func-

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1 (2) which are in effect at the time this Act takes
2 effect,

3 shall continue in effect according to their terms until modi-
4 fied, terminated, superseded, set aside, or revoked in accord-
5 ance with the law by the President, the Secretary, or other
6 authorized official, a court of competent jurisdiction, or by
7 operation of law.

8 (b)(1) The provisions of this Act shall not affect any pro-
9 ceedings, including notices of proposed rulemaking, or any
10 application for any license, permit, certificate, or financial as-
11 sistance pending on the effective date of this Act before any
12 department, agency, commission, or component thereof, the
13 functions of which are transferred by this Act; but such pro-
14 ceedings and applications, to the extent that they relate to
15 functions so transferred, shall be continued. Orders shall be
16 issued in such proceedings, appeals shall be taken therefrom,
17 and payments shall be made pursuant to such orders, as if
18 this Act had not been enacted; and orders issued in any such
19 proceedings shall continue in effect until modified, terminat-
20 ed, superseded, or revoked by the Secretary, by a court of
21 competent jurisdiction, or by operation of law. Nothing in this
22 subsection shall be deemed to prohibit the discontinuance or
23 modification of any such proceeding under the same terms
24 and conditions and to the same extent that such proceeding

1 could have been discontinued or modified if this Act had not
2 been enacted.

3 (2) The Secretary is authorized to promulgate regula-
4 tions providing for the orderly transfer of proceedings contin-
5 ued under paragraph (1) to the Department.

6 (c) Except as provided in subsection (e)—

7 (1) the provisions of this Act shall not affect suits
8 commenced prior to the effective date of this Act, and

9 (2) in all such suits, proceedings shall be had, ap-
10 peals taken, and judgments rendered in the same
11 manner and effect as if this Act had not been enacted.

12 (d) No suit, action, or other proceeding commenced by
13 or against any officer in the official capacity of such individu-
14 al as an officer or any department or agency, functions of
15 which are transferred by this Act, shall abate by reason of
16 the enactment of this Act. No cause of action by or against
17 any department or agency, functions of which are transferred
18 by this Act, or by or against any officer thereof in the official
19 capacity of such officer shall abate by reason of the enact-
20 ment of this Act.

21 (e) If, before the date on which this Act takes effect, any
22 department or agency, or officer thereof in the official capac-
23 ity of such officer, is a party to a suit, and under this Act any
24 function of such department, agency, or officer is transferred
25 to the Secretary or any other official of the Department, then

1 such suit shall be continued with the Secretary or other ap-
2 propriate official of the Department substituted or added as a
3 party.

4 (f) Orders and actions of the Secretary in the exercise of
5 functions transferred under this Act shall be subject to judi-
6 cial review to the same extent and in the same manner as if
7 such orders and actions had been by the agency or office, or
8 part thereof, exercising such functions, immediately preced-
9 ing their transfer. Any statutory requirements relating to
10 notice, hearing, action upon the record, or administrative
11 review that apply to any function transferred by this Act
12 shall apply to the exercise of such function by the Secretary.

13 ANNUAL REPORT

14 SEC. 307. The Secretary shall, within thirty calendar
15 days after the end of each calendar year, make a report to
16 the President for submission to the Congress on the activities
17 of the Department during the preceding calendar year.

18 REFERENCE

19 SEC. 308. With respect to any functions transferred by
20 this Act and exercised after the effective date of this Act,
21 reference in any other Federal law to any department, com-
22 mission, or agency or to any officer or office the functions of
23 which are so transferred shall be deemed to refer to the Sec-
24 retary or the Department.

TRANSITION

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2 SEC. 309. With the consent of the appropriate depart-
3 ment or agency head concerned, the Secretary is authorized
4 to utilize the services of such officers, employees, and other
5 personnel of the departments and agencies of the executive
6 branch for such period of time as may reasonably be needed
7 to facilitate the orderly transfer of functions and agencies
8 under this Act.

9

TECHNICAL AND CONFORMING AMENDMENTS

10 SEC. 310. (a) Section 19(d)(1) of title 3, United States
11 Code, is amended by striking out "Secretary of Commerce"
12 and inserting in lieu thereof "Secretary of Commerce, Trade,
13 and Technology".

14 (b) Section 101 of title 5, United States Code, is amend-
15 ed by inserting ", Trade, and Technology" immediately after
16 "Commerce".

17 (c) Section 5312(8) of such title is amended by inserting
18 ", Trade, and Technology" immediately after "Commerce".

19 (d) Section 5313 of such title is amended by adding at
20 the end thereof the following:

21 "(25) Deputy Secretary, Department of Com-
22 merce, Trade, and Technology."

23 (e) Section 5314(4) of such title is repealed.

1 (f)(1) Section 5315(12) of such title is amended by strik-
2 ing out “Commerce (8)” and inserting in lieu thereof “Com-
3 merce, Trade, and Technology (11)”.

4 (2) Section 5315(39) of such title is amended by insert-
5 ing “, Trade, and Technology” immediately after “Com-
6 merce”.

7 (g) Section 5316(145) of such title is amended by insert-
8 ing “, Trade, and Technology” immediately after “Com-
9 merce”.

10 (h) Section 102(10) of the Department of Energy Orga-
11 nization Act is amended by inserting “Commerce, Trade, and
12 Technology” before “State,”.

13 (i)(1) The first paragraph of section 231 of the Foreign
14 Assistance Act of 1961 is amended—

15 (A) by inserting “and to promote the international
16 trade position of the United States” after “develop-
17 ment assistance objectives of the United States”; and

18 (B) by striking out all after “agency of the United
19 States”.

20 (2) Section 233(b) of such Act is amended by striking
21 out “Administrator of the Agency for International Develop-
22 ment” and inserting in lieu thereof “Secretary of Commerce,
23 Trade, and Technology”.

24 (j) Section 341(c) of the Export-Import Bank Act of
25 1945 is amended—

1 (1) by striking out the first sentence and inserting
2 in lieu thereof the following: "There shall be a Board
3 of Directors consisting of the Secretary of Commerce,
4 Trade, and Technology, who shall serve as Chairman,
5 the President and First Vice President of the Export-
6 Import Bank, and three additional persons appointed
7 by the President, by and with the advice and consent
8 of the Senate."; and

9 (2) by striking out "five" in the second sentence
10 of such section and inserting in lieu thereof "six".

11 AUTHORIZATION OF APPROPRIATIONS

12 SEC. 311. Subject to any limitation on appropriations
13 applicable with respect to any function transferred to the
14 Secretary, there are authorized to be appropriated such sums
15 as may be necessary to carry out the provisions of this Act
16 and to enable the Secretary to administer and manage the
17 Department.

18 SEPARABILITY

19 SEC. 312. If any provision of this Act or the application
20 thereof to any person or circumstance is held invalid, neither
21 the remainder of this Act nor the application of such provi-
22 sion to other persons or circumstances shall be affected
23 thereby.

1 EFFECTIVE DATE

2 SEC. 313. (a) The transfer of functions and agencies
3 pursuant to sections 204 and 205 of this Act shall take effect
4 one hundred and twenty days after the Secretary first takes
5 office, or on such earlier date as the President may prescribe
6 and publish in the Federal Register, except that at any time
7 after the date of enactment of this Act—

8 (1) any of the officers provided for this Act may
9 be nominated and appointed as provided in this Act,
10 and

11 (2) the Secretary may promulgate regulations pur-
12 suant to section 301(f) of this Act.

13 (b) Funds available to any department or agency (or any
14 official or component thereof), the functions of which are
15 transferred to the Secretary by this Act, may, with the ap-
16 proval of the Director of the Office of Management and
17 Budget, be used to pay the compensation and expenses of
18 any officer appointed pursuant to this Act until such time as
19 funds for that purpose are otherwise available.

20 INTERIM APPOINTMENTS

21 SEC. 314. (a) In the event that one or more officers
22 required by this Act to be appointed by and with the advice
23 and consent of the Senate shall not have entered upon office
24 on the effective date of this Act and notwithstanding any
25 other provision of law, the President may designate an officer

1 in the executive branch to act in such office for ninety days
2 or until the office is filled as provided in this Act, whichever
3 occurs first.

4 (b) Any officer acting in an office in the Department
5 pursuant to the provisions of subsection (a) shall receive com-
6 pensation at the rate prescribed for such office under this
7 Act.



Legislative History of Reorganization Plan